

Minutes
Bluff City Board of Mayor and Aldermen
Regular Meeting
March 6, 2018

Mayor Wells called the meeting to order at 6:00 p.m. Mayor Wells stated that this is a business meeting not a court of law. Welcome each of you here tonight. Anyone wanting to comment has three minutes in the first session and three minutes in the second session. In Citizen Comments the board members do not have to comment unless they want to. Anyone wanting to comment must come to the podium and give their name address and phone number. No talking during the meeting, if you want to talk while the meeting is going on you must go outside or to the hallway because others want to be able to hear. You can be asked to leave if you are out of order. If you have a request for information you must come to the office at City Hall during the office hours of 8 a.m. to 4:30 p.m. Monday through Friday and fill out the proper request.

Members present were Sandra Madison, Jack Stratton, Ray Harrington, David Smith and Richard Bowling.

Prayer was given by Jack Stratton, followed by the Pledge of Allegiance.

Mayor Wells opened the floor for the following:

Discussion / Action – January 2, 2018 Meeting Minutes

Motion to approve was made by Vice Mayor Harrington. Second by Alderman Bowling. All in favor. Motion carried.

City Engineer Dave Wilson was unavailable as he is in Nashville.

Discussion / Action – Audit Report – Rodefer and Moss--FULL REPORT AVAILABLE FOR REVIEW AT CITY HALL

Curtis Morrison with Rodefer and Moss stated that they have been doing the audit for the past couple of years and there were improvements year to year. There were several findings that were corrected from the previous year. Mr Morrison explained that they are independent and they have to give an opinion on if we believe that the financial statements are materially correct. What that means is that we don't audit it down to the dollar we just make sure it is reasonable and that it doesn't misrepresent the status of the city. Mr Morrison stated that beginning on page 6 is what he considers the most important section. It is called management discussion analysis and in this it will show comparisons to the prior year. Mr Morrison stated that business revenues increased 10%. General fund reported an increase of \$321,000.00 during the year. Mr Morrison stated that on page 10 he wanted to talk about a few things. Looking at the net cost of the city's governmental activities, the cost decreased approximately \$150,000.00. Looking at pages 13 and

14 keep in mind that these are not the way you normally see your financials. This is as if you were a business. You are looking at a change in net position of \$615,000.00 to the positive, and 228,000.00 of that is from the business which is the water and \$387,000.00 is from the general government. The state mandated increases were to get the city to a positive and now they are there which is good. On page 15 one of the things he wanted to highlight is looking at cash and cash equivalent and as far as cash goes we have approximately 6 months of operating expenses in there. Cash flows do not flow constantly it depends on what month it is and when you are getting funds. On page 16 you will see reconciliation from your fund balance. On page 17 fines and forfeitures are a good chunk of your revenue. This is coming from your traffic cameras and if that goes away that is a lot on money to make up. Alderman Smith asked if the Police Department was in this part too. Mr Morrison stated that the police department is in the expenditures and they run 850,000. Alderman Smith stated that when the camera money goes away that is going to be dicey for us. Mr Morrison stated that it will mean they will have a few things to figure out. On page 19 it reflects that the actual revenue was over the budget by \$25,000.00 which is good. On page 20 it starts the expenditures and it was all pretty close to budget. At the end the expense came in under \$159,000 over what you had predicted. Alderman Smith stated that the driving school fees showed \$7,500.00 and it is increasing. Mr Morrison explained that if you are looking at assets your real value is basically \$4,000,000.00 and the available funds (that you can spend) are the unrestricted funds which are \$516,000.00. Operating revenue is up approximately 10%. One thing he wanted to point out on the pension plan, which is TCRS, is that it is one of the best funded plans in the nation. Mr Morrison stated on page 57 is their independent auditors report on internal control over financial reporting on compliance and other matters. They check internal controls every year and look for weaknesses and areas where there could be improvements. In 2016 there were 6 findings and now is down to 3. One finding in 2017 dealt with petty cash and they have noted a cash shortage of \$1,000.00 and they now know that it is not a cash shortage but when they issued the audit report they did not have that information. When reading this, keep in mind that it has already been corrected. Finding number two is inventory as they discussed last year. Final finding is bad debt where people have just not paid their bills and they simply need to be written off just to clear those from your records. Alderman Smith asked if this was taxes and Mr Morrison stated it was water / sewer bills probably where people had moved. Mr Morrison stated that the audit this year is the best since they have done it. Mr Morrison stated hats off to everybody for making that happen, Sharon it is a good job.

Mayor Wells asked if any citizens had any questions in reference to the audit.

Citizen Comments – First Session

Kathy Leonard stated she was building a house at 316 McClelland Street and there used to be no parking signs down there and she is requesting they put the signs back up to keep people from parking on the grass. Mayor Wells stated they would take care of it.

Carolyn Payne, 4818 Bluff City Highway, asked that the board members vote to remove the temporary position of City Manager from Irene Wells tonight. On January 24, 2018 a workshop turned into a road trip. Mrs Payne stated "I saw on Carter Street where water has been running for over a year and a half. Allen verified that. I feel sure many residents are paying for that water". There is discussion on adding additional streets trying to buy 2 acres at the water plant, where will the money come from. At the last meeting information was provided that Bristol Bluff, who treats our sewer, had gone up 4 cents, when I verified that information it was 6 cents and that increase started in July of 2017, not when the new contract began in January of 2018. The residents have over a \$3,000,000.00 loan to pay back and the only way to do that is to pass it forward to the residents. Mrs Payne stated if Bluff City is to survive we need a qualified City Manager. Mayor Wells stated that Bristol Bluff does not take care of our sewer, Bristol does.

Carol Keith, 305 Lakeview Drive, congratulated Alderman Smith. Mrs Keith stated that she wants everyone to be treated fair. Mrs Keith stated that Sharon is a sweet lady and she feels that she can do things until you can get somebody in to help. This is not about race this is about what's right. Mrs Keith stated Irene truly I am not mad at you but they need to set you down from being City Manager. Mrs Keith asked the board to do what is right. Mrs Keith stated maybe Sharon could help in the office until they could get somebody as she knows she is a good honest person and could do it, until they could find someone.

Laura Higgins, 304 Lakeview Circle, stated I want the answer to this. John Harrison said he owns the house on 553 Cedar Street and how does he own it when she pays the taxes and insurance and she also gets help for her taxes for being a senior. She got 2 grants for work done to her house while John said he owns this house, does this not sound like fraud. Mrs Higgins asked that they look into how his mother got these grants when John Harrison says he owns that house. Alderwoman Madison asked the Chief if he could investigate that. Chief Depew stated that it would have to be something the city would have to request. Ms Madison asked City Attorney Paul Frye if the city could do that. Mr Frye stated that maybe the Home Consortium can answer those questions. Mayor Wells stated I am on the board and from what I understand they have been told about what is proper and told Mrs Higgins that she can go back and talk with them. Chief Depew stated that if anything starts they will have to leave.

Discussion / Action – Resolution Authorizing the extension of its \$1,686,000 Water and Sewer Revenue and Tax Bond Anticipation Note

City Attorney Paul Frye read the resolution and explained that this is no new debt it is just extending the temporary financing out a little longer. Alderman Smith asked if this is the sewer lines at the street. Mayor Wells stated yes. Mr Smith asked if they have heard anything about the water plant. Mayor Wells stated that when Dave Wilson comes back they will have a workshop.

Pg.4
BMA
3-6-2018

Motion to approve the extension was made by Vice Mayor Harrington. Second by Alderman Smith. All in favor. Motion carried.

Public Hearing – Ordinance 2018-001- Amending the Reconnection Fee to \$25.00

Mayor Wells opened the Public Hearing at 6:28 p.m. City Attorney Paul Frye read the Ordinance. Man from audience said he thinks it's a great idea. Lady from audience stated if you all know what's going on and you do nothing about it you are just as guilty. Public hearing closed at 6:29 p.m. Motion to approve Ordinance 2018-001 on second reading was made by Alderman Bowling. Second by Vice Mayor Harrington. All in favor. Motion carried.

Report from Mayor / City Manager – Irene Wells

Mayor Wells stated that they are planning a meeting on the Veterans Memorial on Tuesday at 6:00 p.m.

Action – Audit Report

Motion to approve the Audit Report was made by Vice Mayor Harrington. Second by Alderman Bowling. All in favor. Motion carried.

Discussion / Action – Financial Report – Sharon Greene – Recorder/ CMFO

Ms Greene reported the following balances as of January 31, 2018:

General Fund - \$1,115,324.00, Sanitation Fund- \$16,502.00, Special Police Fund - \$14,797.00, Debt Service - \$129, 415.00, Sinking Fund - \$3,095.00, Water / Sewer Fund - \$696,651.00. Motion to approve was made by Alderman Bowling. Second by Vice Mayor Harrington. All in favor. Motion carried.

Report from City Attorney Paul Frye – No report

Comments from Board Members

Alderwoman Madison thanked everyone for coming. Alderwoman Madison stated that she wanted to bring it up for a vote to set Irene Wells down as City Manager. Alderman Smith made a second. City Attorney Paul Frye stated that the Mayor under the City Charter is automatically the City Manager and they would have to go through the process of searching and hiring a City Manager, and MTAS Representatives would be the vehicle to do that if you are looking at that. Alderman Bowling stated that has to be done before a vote is made like she asked for. Mr Frye

stated yes, in the Charter in the absence of hiring a City Manager the Mayor is the City Manager. Alderman Smith stated that if they did that the Mayor could still act as City Manager until we get one. Mr Frye stated yes. Mr Smith stated she would not be a regular City Manager she would be just a temporary until – Mr Frye stated no she would be a City Manager until a City Manager was hired, according to the City Charter. Man from audience stated is it not up to the board to vote on whether the process is continued. Mr Frye stated yes the board would have to vote to start the process to MTAS is what I would suggest.

Alderman Stratton thanked everyone for coming. Mr Stratton stated that things have been getting better than they used to be.

Vice Mayor Harrington thanked everyone for coming.

Alderman Smith thanked everyone for coming and he hopes he makes the right decisions for the town and he will vote for what he thinks is best for the city.

Alderman Bowling thanked everyone for coming and he wished that they had a bigger crowd because there are a lot of people that don't participate.

Report from Chief of Police Greg Depew – SEE ATTACHED

Chief Depew reported for the month of February and stated that everything is going well. Mayor Wells asked Chief Depew to make a statement concerning her ever messing in the police business and trying to say something about somebody or me running over there all the time. Chief Depew stated I am operating the Police Department as the Head of the Department as the Police Chief and I am making the decisions based on the charges, based on the scheduling, based on the equipment. Alderman Smith stated I want you to have what you need. Chief Depew stated that the city had been good to his department. Mr Depew stated they have been fortunate as since he has been Chief since 2011 he cannot recall many times he has made a request, that they can show justification in the need for it, that they weren't given it. We try to do what we can without asking for things but he feels they are prepared to answer any call they would have to answer. Alderman Smith stated I think your officers are doing a good job. Chief Depew stated they are staying busy and things are good and they are looking forward to the future. Mayor Wells stated you did not answer the question. Have I ever medaled in any of the police business that involved any of the citizens? Chief Depew stated we have never had any discussions over anything and I can't recall any certain thing that I have been asked about.

Report form Public Works Supervisor- Allen Moultrie -- SEE ATTACHED

Mr Moultrie reported that the pump stations are operating properly with there being no overflows in the month of February.

Staff has been working on keeping brush picked up.

Mr Moultrie stated that people needed to be mindful that turning off water meters should be done by a city worker and not the customer as we have had some meter setters break due to customers turning themselves off while the meter has been frozen. If a customer needs their water turned off they need to call city hall or the late night number we have so we can dispatch an employee to turn it off. Even though there is no malicious intent a customer could be charged with tampering with city property in case something breaks. Alderman Smith thanked Mr Moultrie and his crew for the work they did fixing the break in the 6 inch line. Mr Smith stated that he had seen the men trying to get money together to get food and he suggested that if they are there after 8P.M. they should be able to go to the pizza place and get a pizza on Bluff City. Mr Smith asked if any of the Aldermen have any objections. Mr Smith asked where they were on the 8 inch line. When they work on it school will get cut out so whatever we do will have to be done on the weekend. One issue we are having in town is if we can't get the water off, because some of the older valves aren't turning off you are putting everybody that gets near the hole in danger so there is a lot of planning that has to take place before you go into that. Water Plant Operator Teresa Nidifer stated you may even have to contract out to have that repaired, because of the depth you are going to have to have a trench box. Ms Nidifer stated that if we do it on a Saturday and run into problems and don't have parts you are really messed up. Mayor Wells stated that the engineer has been looking at this and there is no easy fix. Vice Mayor Harrington asked if they as a board did an incentive program for people who come in and work after hours for example give them 8 hours of vacation time or something like that, would that be a good incentive. Mr Moultrie stated that it sounds appealing. Alderman Smith asked if the men could do some more leak detection and give a report to them next meeting. Mayor Wells asked Mr Moultrie to explain what they have to have done by the end of this month. Mr Moultrie stated that they have to go and inspect every manhole in town and make note of any problems in order to comply with our Sewer Overflow Response Plan.(SEE REPORT) Mr Moultrie stated that they need to prioritize on what needs to be done first. Mayor Wells stated that is something that has to be done by the end of the month for the State of Tennessee.

Report from Water Plant Operator -- Teresa Nidifer

Ms Nidifer stated that in her report she will be giving them information about January's water usage and report. They pumped out over 7,346,000 gallons and also did 3 EPA samples. One trihelamethane and 3 bacteriological and all came back good.

On August the average chlorine in your system is 1.79 parts per million. Ms Nidifer reported that some things were down at the plant due to some things being frozen but were able to fix it. They flushed 4 lines which was a little over 6000 gallons but they have to flush more lines. Ms Nidifer reported that 70% of leaks do not come to the surface. Ms Nidifer stated that we have to work with what we have. Ms Nidifer stated that we need to clean out easements and that is the first place you want to start looking for leaks. Ms Nidifer stated that the Mayor has been really good to work with us to do that.

Ms Nidifer stated that she believes that the Mayor has the heart for Bluff City and she has worked diligently behind the scenes that others don't see. Dealing with EPA, the State and the Comptrollers, there's a lot of information you have to be familiar with and for someone to come in without a lot of experience she has gained a ton of experience. She is what we need at the moment to get things finished here. She has a good start going and if you keep switching through the middle of your ballgame you are not going to win. Everyone needs to work together to do the best for Bluff City and there are not very many people that would be in a position as City Manager that would not get paid. That is unheard of and wouldn't take all this backbiting and all the other things you have heard. I am sure there is not a one of you that would sit in that chair and put up with that. Your City Manager does not have to know everything they have to know how to manage it. She is the tightest penny pinching person that I have ever seen and that is why your budget is doing so well. When you have someone that knows it, you can't say I don't like them and just through them out. You've got to let somebody come in and do the job. Everybody is not going to like the people you hire but when you get somebody that can do that job let them do it. I hope you do the right thing for Bluff City.

Chief of Police Depew stated that he wanted to clarify something. He stated that since 2011 being Police Chief here we have made some tough decisions and being a Police Chief or officer is not an easy job. I promise you that as Police Chief I will never let anyone influence me in a decision when it comes to a criminal charge that I am going to make or anything in violation of the law. When we investigate something we do a thorough job and then go to the DA's office and that is who would lead and direct me in anything we do. Allowing anyone to discourage or encourage me on any crime that happens in this town will never happen.

No Sullivan County Commissioners were present

Old Business – None

New Business

Vice Mayor Harrington stated that he would like to see about an incentive program for the employees when extra work and overtime is needed. Man from audience asked if we pay them

overtime. Vice Mayor Harrington stated yes. The man said that is their incentive. He saw them working in front of his motorhome and they went above and beyond and he told them they should just go home and come back the next day. But the incentive you give them is overtime. Vice Mayor Harrington stated that does not always work. City Attorney Paul Frye stated that this is something that they are not going to decide tonight they need to give further thought to and look at the employee policy as a whole.

Lady from audience asked if she could get a copy of the city ordinances. She was informed that they are online.

Alderman Madison stated in New Business can we make a motion to set Irene Wells down or do we have to wait. City Attorney Paul Frye stated you would have to hire a City Manager and you can't vote the Mayor out as City Manager. You would have to go through the process. The Charter is clear on that.

Alderman Smith made a motion to take the Mayor's position from Irene Wells. Second by Alderman Madison. City Attorney Paul Frye stated that is an improper motion, if you are doing the City Manager, if you are wanting to hire a (sentence interrupted) Alderman Smith stated we are not going to do the City Manager now, we are going to get rid of the Mayor. Mr Frye stated you can't do that she is an elected official.

Citizen Comments – Second Session

Carolyn Payne , 4818 Bluff City Hwy, stated Mr Frye got it right here, tell me what page for City Manager, it's not the way I read Bluff City's Charter. Mr Frye stated that's my interpretation. Vice Mayor Harrington stated it is under the Mayor's position that if there is no City Manager it reverts back to the Mayor's position. Mrs Payne stated that is why we need to take a vote for a City Manager. Vice Mayor Harrington stated that Paul Frye stated earlier that we have to go through MTAS. Mrs Payne stated no we don't. Mr Frye stated I would suggest to go through MTAS if you are going to search for a City Manager rather than hiring a search firm. Mrs Payne asked if they had the charter in front of them. Mr Frye stated no I have interpreted this section of the Charter many times. Mayor Wells stated I am taking your interpretation – Mrs Payne stated of course you- Mayor Wells stated until we find out different it's closed. So unless you have something else we are finished. Mayor Wells asked if anyone else had a comment. Mrs Payne read – Town Manager appointment to perform duties until manager appointed. Now that is all we are asking to do tonight, go ahead and publish it in the paper to appoint someone in the position.

Carol Keith 305 Lakeview Circle, stated I am not here to hurt anybody and I want everybody treated fair and when I observe and see people mistreated I can't be quiet. Before people speak about things make sure you know both sides of the coin and the full picture. I am a black woman

and you are a black woman, I don't look at color but you need to set down, because of the treatment of some of these people and if they would speak up and let the board know how they have been treated. This is my last appeal for now and whenever you put somebody in position, if you do, that please don't make the mistake of giving one person all that power. Mrs Keith stated If you decide to keep the Mayor and someone has a problem and an appeal, instead of going to the Mayor, why can't they come to the board. Mrs Keith stated I have not forgotten that James Richardson 3 weeks before Christmas was fired and there were 7 people that stood and said the same thing James said, none of the board members were at the meeting, but James was fired. He got unemployment and then it was stopped and he had to pay it back. If you decide to keep the Mayor, please don't give one person all that power. Mrs Keith stated Sharon (Greene) is a sweet and fair lady and could she not help run things until they get a qualified City Manager. Mrs Keith stated Mr Bowling I would like to ask you this, If nothing changes here and if I have a problem and need some assistance down here would you come and go with me here to try to get it straightened out. Alderman Bowling stated yes. Mr Bowling stated that they voted on it before that they City Manager had full control on hiring and firing and it has not changed. Mrs Keith stated it needs to be changed because if somebody don't like you. Mrs Keith stated pray about it and think about it and if you set there and know people are doing wrong and you do nothing, you are just as guilty.


Billy Wells 198 Holston Drive, stated he comes to about every meeting and he wanted to tell the board how proud of them he is and the workers. Mr Wells stated I was the Mayor for 12 years and back in the old days I could do just like Mr Smith said, if I wanted a pipe fixed I would let the men dig a hole and fix it right now. Things have changed. Before you can dig any kind of line now you have to go through all kinds of agencies, otherwise you go to jail or pay a fine. Mr Wells stated, Mr Smith I am proud of you for wanting to get it done right now but we had another Mayor that did all this stuff and did not listen to the state and got us into all kinds of trouble. If you want to do all of this and get us in trouble again, you should make a pledge that you will pay the state fines. Things have changed now and the laws have changed. Alderman Smith stated I agree with you. Mr Wells stated he is proud of the board for taking their time and they need to get the engineers to find a solution to the problem. Mr Smith stated if you can't get it done in a year and a half, you ain't going to get it done. Man from audience stated that the Charter has never changed; the City Manager can hire and fire any hourly employee. Alderman Smith stated we are not talking about that. Man said yes you did, one just got up there. Mr Smith stated I am not discussing that though. Man from audience stated and the salary comes under the board. She has a right to do what she is doing. Alderman Smith stated the citizens have a right to get a petition up for a recall and do something about it. Lady from audience stated are we going to take a vote tonight. Mayor Wells stated Mr Frye has already given us a legal opinion and that is what we have an attorney for.

Mayor Wells stated I have always since I have been here, did the things that I think is best for the city. I have tried to take care of the City's money because I know the money don't belong to me.

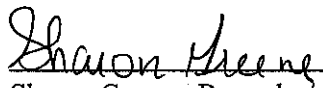
Pg.10
BMA
3-6-2018

Sharon and I help together and I think we have done a pretty good job. I don't ask the Chief anything about anybody's business. I never have and I never will because I don't feel like I should be involved in the police business. I have told him before I do not want to know what is going on in the Police Department because I don't need to know. I want the citizens to feel like they can talk to anybody in this city without me knowing one earthly thing about it. I want them to feel safe and I want them to feel that they can go to the police department and ask them anything. I don't ask them about anything else, and I don't not speak to people, that's not me. I walk into a grocery store and pass people that I don't even see and speak to them. That is me. I am not hung up on titles or money. I care about this city. Anybody can say anything they want to about me, but I think most of the citizens here, as long as I have been here, they know what I stand for. Do whatever you want to do, but I feel real good about what I have done while I have been here. Mayor Wells thanked everyone for listening to what she said. Mayor Wells stated that anytime she has fired anybody she has taken the information to the attorney and he has looked over the information. As long as I am here I will continue to do right. It is bad when you are not doing these things that people say, but God knows and he sees all things and I am proud of myself whether you all are or not. I will do the best I can and do right and not do wrong because I never have and never will.

With no other business a motion to adjourn was made by Alderman Bowling. Second by Vice Mayor Harrington. All in favor. Meeting was adjourned at 7:36 p.m.


Irene Wells, Mayor / City Manager

Attest this 6th day of March, 2018


Sharon Greene, Recorder/ CMFO

CITY OF BLUFF CITY

Department Of Public Works Board of Mayor and Alderman Monthly Report for March 2018

Sewer Department:

The pump stations are operating normally with there being no overflows in the month of March. The staff has been continuing the flushing of sewer lines in our known problem areas, along with other areas in need of flushing. We have currently inspected all manholes within the city limit and documented issues that we have found to be in compliance with our sewer overflow response plan.

Street Department:

The staff would like to thank the mayor and board for the purchase of the new zero turn Exmark lawn mower. The crew has started mowing along the highway, ballpark, pavilion, swinging bridge, and other area's within the cities right of way. The staff has also been working hard keeping up with the brush and leaf pickup around town.

If you have any questions, please give me a call 612-4145. Thank you.

Allen Moultrie
Public Works Supervisor



Bluff City Police Department



MONTHLY REPORT
2018 March

Year Month

NUMBER OF:	CITY	PINEY	COUNTY	TOTAL
CALLS FOR ASSISTANT(S)	65	57	0	122
ISSUED CITATION(S)	45	30	0	75
WARNING CITATION(S)	20	30	0	50
PATROLED MILE(S)	2310	2563	0	4873
ARREST(S)	1	1	0	2
OFFENSE REPORT(S)	5	3	0	8
ALARM(S)	4	5	3	12
ACCIDENT(S)	4	6	0	10
ANIMAL CALL(S)	5	0	0	5
MSD REPORT(S)	8	3	0	11
FUNERAL ESCORT(S)	3	1	0	4
DOMESTIC ASSAULT(S)	3	0	0	3
VEHICLE SEIZURE(S)	0	0	0	0
MISSING PERSON(S)	0	0	0	0
D.U.I.(S)	0	0	0	0
DRUG VIOLATION(S)	0	1	0	1
USE OF FORCE REPORT(S)	0	0	0	0

approved by: Chet King Date: 4-3-2018